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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SKYWEST PILOTS ALPA ORGANIZING)
COMMITTEE, *et al.*,)
)
Plaintiffs,)
)
vs.)
)
SKYWEST AIRLINES, INC.,)
)
Defendant.)
_____)

CASE No. C-07-2688 CRB

**PLAINTIFFS' REPLY IN SUPPORT
OF MOTION TO REQUIRE
SKYWEST TO RELEASE
PLAINTIFF PHIL ALFORD**

Defendant's refusal to release Captain Phil Alford until approximately one hour before the close of business the day before the preliminary injunction hearing in this matter is unreasonable and inconsistent with its representation to the Court on May 24, 2007 that it would "make all necessary accommodations to release these pilots so that they can prepare for the hearing." Decl. of Linda Lye ISO Plaintiffs Motion to Require SkyWest To Release Phil Alford, Exh. 1.

During the period that Captain Alford was previously in San Francisco last week, on his own time, Plaintiffs' counsel did not have sufficient time to complete his preparation for the preliminary injunction hearing. For that reason, Plaintiffs made arrangements to see Captain Alford on June 6

1 and made its request to the Company to release him for that one day.

2 Defendant implies in its Opposition that Plaintiffs are requesting the release of pilots for four
3 days. Def's Opp. (Doc. No. 112) at 1:12-15). Plaintiffs have requested that Captain Alford be
4 released for a *single* day. (Captain Alford is not scheduled to work on the day of the hearing and
5 has not previously been released in connection with this case.) Even if no travel were involved,
6 Defendant's "willingness" to release Captain Alford only at 3:49 pm on June 6, the day before the
7 hearing, would be unreasonable.

8 Even more troubling, Defendant accuses Plaintiffs of engaging in abusive litigation tactics,
9 in its opposition brief and in a letter that was never sent to Plaintiffs' counsel. *See* Decl. of Robert
10 Spagat ISO Deft's Initial Opp. to Require It to Release Plaintiff Phil Alford (Doc. No. 113) Exh. A.
11 All of Plaintiffs's motions have pertained either to Defendant's non-compliance with the TRO or to
12 the June 7, 2007 preliminary injunction hearing. All of these motions have been both necessary and
13 reasonable, and in several cases were simply requests to comply with a court order. It has been
14 Defendant's intransigence that has forced Plaintiffs to seek relief from this Court.

15 For the foregoing reasons and those set forth in Plaintiffs' opening brief, Plaintiffs' Motion
16 To Require SkyWest To Release Plaintiff Phil Alford should be granted.

17
18 Dated: June 4, 2007

Respectfully submitted

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LINDA LYE
21 CLAIRE P. PRESTEL
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22 ELIZABETH GINSBURG
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